

would have also unlocked numerous other amendments that we had cleared on both sides. But, unfortunately, because of the objection of an individual whom the chairman has cited, we are now coming to final passage.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, all postcloture time on S. 2943 has expired.

VOTE ON AMENDMENT NO. 4670, AS MODIFIED

The ACTING PRESIDENT pro tempore. The question is on agreeing to amendment No. 4670, as modified, offered by the Senator from Florida, Mr. NELSON.

Is there any further debate on the amendment?

The Senator from Rhode Island.

Mr. REED. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COATS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FLAKE). Is there objection?

Without objection, it is so ordered.

The question is on agreeing to the Nelson amendment No. 4670, as modified.

The amendment (No. 4670), as modified, was agreed to.

VOTE ON AMENDMENT NO. 4607, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4607, as amended, offered by the Senator from Arizona, Mr. MCCAIN.

Is there any further debate?

The amendment (No. 4607), as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. COATS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 85, nays 13, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—85

Alexander	Brown	Cochran
Ayotte	Burr	Collins
Baldwin	Cantwell	Coons
Barrasso	Capito	Corker
Bennet	Cardin	Cornyn
Blumenthal	Carper	Cotton
Blunt	Casey	Daines
Booker	Cassidy	Donnelly
Boozman	Coats	Durbin

Enzi	Kirk	Rubio
Ernst	Klobuchar	Schatz
Feinstein	Lankford	Schumer
Fischer	Manchin	Scott
Flake	McCain	Sessions
Franken	McCaskill	Shaheen
Gardner	McConnell	Shelby
Graham	Menendez	Stabenow
Grassley	Mikulski	Sullivan
Hatch	Moran	Tester
Heinrich	Murkowski	Thune
Heitkamp	Murphy	Tillis
Heller	Murray	Toomey
Hirono	Nelson	Udall
Hooven	Perdue	Vitter
Inhofe	Peters	Warner
Isakson	Portman	Whitehouse
Johnson	Reed	Wicker
Kaine	Roberts	
King	Rounds	

NAYS—13

Crapo	Markey	Sasse
Cruz	Merkley	Warren
Gillibrand	Paul	Wyden
Leahy	Reid	
Lee	Risch	

NOT VOTING—2

Boxer Sanders

The bill (S. 2943), as amended, was passed.

(The bill, as amended, will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Missouri.

#### ORDER OF PROCEDURE

Mr. BLUNT. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each until 12:30 p.m. today; further, that at 12:30 p.m. the Senate stand in recess subject to the call of the Chair; and that notwithstanding rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.R. 2578 occur when the Senate reconvenes from this recess.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BLUNT. Mr. President, for the information of Senators, the cloture vote on the motion to proceed to the Commerce-Justice-Science appropriations bill will occur immediately following the official photo at 2:15 p.m. today.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 12:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona.

#### NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCAIN. Mr. President, I want to thank the 85 members who voted for the bill, and I would like to criticize the 13 who voted against it.

I think this is a good bill. I want to thank Senator REED for his cooperation and the effort that has been made in our committee on a bipartisan basis.

If it were not for his cooperation and assistance and partnership—equal partnership—we would not have been able to have a bill of these significant numbers.

I want to thank the Members for their votes. But I would also like to point out that, as happy as I am about the size of the vote, we left out some very important amendments. Particularly, we left out one that has to do with interpreters who are being slaughtered as we speak because they are the No. 1 targets for the Taliban and for ISIS.

As I take pleasure in the size of the vote, I would also urge my colleagues that when we take up a bill of this significance, not every Senator can have his or her way. Not every Senator can have their amendment, particularly when it is not agreed to on the other side. So I have to say, I blame a few Senators who believe it is their way or the highway. I hope that when we move forward with other legislation, we can have amendments, debate, and vote. That is what the Senate is supposed to be about.

Finally, I again thank Senator REED and his staff for all of their cooperation and assistance. We intend to go to conference and get a bill to the President's desk.

I would point out to my colleagues that this legislation is probably the biggest reform enacted by the Senate Armed Services Committee and the Senate since Goldwater-Nichols some 30 years ago. There are fundamental reforms in the military and how they do business, and that is very badly needed.

We had a hearing a couple of weeks ago about an F-35. The first time the F-35 began production was 15 years ago. I change one of these every 18 months. Our acquisition system is broken; it needs to be fixed. There are billions and billions of dollars of cost overruns that we need to fix if we are going to have the confidence of the American people in their tax dollars being spent wisely.

Again, I thank my friend and colleague from Rhode Island.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me commend and thank the chairman on his leadership. He began this process with great deliberation months ago by bringing together experts on defense organization—experts on military and strategic policy. Through a series of many hearings, we were able to craft significant legislation reforming the operations of the Department of Defense. We will now go to conference and begin to work to improve that legislation. I think improvements can be made with respect to the changes in the context of Goldwater-Nichols reorganization. But I think the chairman's leadership was absolutely essential and incredibly productive in this process.

We have had debate on a number of issues on the floor. I think we are now

at the point where we should be, not only continuing our efforts to get this bill passed but, once again, underscoring the need to eliminate sequestration, which is looming on the horizon. When we don't have the relief afforded by last year's temporary agreement, we will be dealing with numbers that will not allow our military to perform their basic mission of protecting the United States. Therefore, we have to start working on this issue of sequestration. As I suggested, it applies not only to the Department of Defense but to other agencies of the Federal Government.

Through the very careful leadership of the chairman, we were able to come up with a working and I think workable compromise with respect to Russian engines without surrendering the basic principle that the chairman had enunciated that we should not be relying on Russian engines to send our technology into space.

As the chairman also indicated, there are several issues that we could not reach consensus on and which deserve not only a vote but in many cases deserve passage.

Senator SHAHEEN has worked tirelessly. I have never seen a colleague work so intensely, so thoughtfully, so professionally, literally going from office to office asking for support for the Afghan interpreters—individuals who have already been targeted in many cases because of their help to the United States. If we don't have this legislation passed, then not only will we send a terrible message to these individuals who have served with us and sacrificed along with us, but also to succeeding generations who will not come to our aid because they are afraid of the consequences. So not only looking back at justice and equity for people who helped us but looking forward to being able to operate in not just Afghanistan but other areas of the world, I think it was necessary to not only bring up the Shaheen amendment but to pass it.

As the chairman pointed out, Senator GILLIBRAND has a very important amendment with respect to sexual assault in the military. She has done remarkable work with respect to the Uniform Code of Military Justice. She has worked very closely with many colleagues.

I must also thank Senator CLAIRE MCCASKILL for her extraordinary efforts. There are many provisions in this bill that Senator GILLIBRAND has included, but there is one very important to her about the role of the commander. That issue deserves a debate. Like the chairman, I do not agree with the conclusion, but I certainly believe that she should have had a vote.

Senator MURRAY also came here with a very important amendment, cryopreservation for soldiers. As they go overseas and they do want to have a family, there is the risk in battle which could prevent that, and this is a procedure which would allow them not

only to serve their country but in the event of them being wounded, they could still have a family. Again, many people have different views on this particular amendment, but I believe a vote would have been in order.

These are three issues, but these issues cannot undercut the incredible reforms that the chairman inspired with the bill and the thoughtful debate and ultimately the conclusion—strong bipartisan support for this initiative.

I want to thank the staff because we could not have done this without them. I want to particularly thank Chris Brose and all of his colleagues on the Republican side. They did a remarkable job.

I want to individually thank my staff: Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jon Green, Creighton Greene, Ozge Guzelsu, Mike Kuiken, Gary Leeling, Kirk McConnell, Maggie McNamara, Mike Noblet, John Quirk, Arun Seraphin, and my staff director, Elizabeth King.

Let me thank the floor staff too. Without Gary and Laura and others on the floor, we would not have gotten to a conclusion.

With that Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend from Rhode Island and look forward to the conference and, for the 54th straight year, completing a bill where the Congress of the United States sends to the President and the President signs into law the National Defense Authorization Act.

I don't know of a greater responsibility that we have, and, despite our differences and issues, I think that was why the vote was as overwhelming as it was today. Unfortunately, the two Senators from Idaho were uninformed on the importance of this issue.

Mr. President, I yield the floor.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS BILL

Mr. PERDUE. Mr. President, I rise today to speak very briefly to highlight my opposition to the cloture motion on the appropriations bill for the Department of Commerce, Department of Justice, and the Science agencies and to discuss an issue of critical importance to my home State of Georgia and what I think is a direct abuse of what the Founders intended for Senate debate.

For over 20 years, Alabama, Florida, Georgia, and the Army Corps of Engi-

neers have been engaged in various lawsuits over water rights among those three States. Georgia has two reservoirs in question—Lake Lanier and Lake Allatoona—that are operated by the Corps, that provide drinking water for Metro Atlanta, and that provide water downstream for the Chattahoochee, Flint, Coosa, and Tallapoosa Rivers. These river basins also provide water to South Georgia and parts of Alabama and Florida.

Currently, litigation is pending in the U.S. Supreme Court, the Federal DC district court, and the U.S. District Court for the Northern District of Georgia. Negotiations are also ongoing between the State governments on this very topic, and I believe they are closer to a solution right now than we have ever been.

Clearly, this is an issue that should be left to the States to settle through negotiation and, if needed, litigation. But now another attempt is being made by some in the Senate to surreptitiously influence the courts through language included in the report that accompanies this CJS bill.

We will vote on that bill sometime this afternoon. I strongly oppose this bill. This is the business of the States and should not be resolved or influenced in this manner. Let me be clear. It is not this body's place to try and tip the scales in any way on this matter.

Furthermore, we have already had this fight. This same language was inserted last year during debate over the omnibus spending bill. Then it was removed after further examination and explanation was given to leaders in both Chambers over its purpose. Let me reiterate that. When the leaders of this body and the leader in the House saw what was really happening in this language, they both independently removed the language. It was removed then, and nothing has changed to merit having this debate again in this Senate this year.

Multiple lawsuits and negotiations between the States are ongoing. There is nothing unusual about that. Any attempt to create a role for Congress during the appropriations process on this issue would set a dangerous precedent and should alarm every Senator who cares about the rights and integrity of the States. Injecting Congress into this would give an unjust advantage to other States involved, stripping away any incentive for them to negotiate in good faith with our State of Georgia.

Furthermore, this congressional involvement would establish a dangerous precedent for any State involved in water resource negotiations. The negotiations on water rights in the West make these pale in comparison. That is not a role our Founders intended for Congress to play, and inserting the Federal Government into another issue where it doesn't belong would be emblematic of why folks back home are so fed up with the dysfunction in Washington.

For these reasons and others, as I will discuss throughout this week as